

# IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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## BOARD MEMBERS:

James Albert, Chair  
Phyllis Peters  
Janet Carl  
Gerald Sullivan  
Betsy Roe  
John Walsh

## IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

### MINUTES

APRIL 22, 2004

OPEN SESSION

HELD AT: Historical Building, Tone Board Room, Des Moines, Iowa

BOARD MEMBERS PRESENT: Jim Albert, Bernie McKinley, Phyllis Peters, Jerry Sullivan,  
and Janet Carl by phone

STAFF PRESENT: W. Charles Smithson, Sandy Reier

I. CALL TO ORDER - The meeting was called to order by Chair Albert at 10:04 a.m. with Albert, McKinley, Peters and Sullivan present.

II. APPROVAL OF MINUTES FROM FEBRUARY 5, 2004 MEETING – It was moved by Sullivan and seconded by Peters that the last sentence reporting on the Senator Gronstal appearance be changed to “Senator Gronstal stated there has not been a hue and cry from constituents about sunshine but feels a searchable database would be a great tool for ordinary citizen groups and the public” and the next to the last sentence reporting on Representative Murphy’s appearance should read, “He feels mandatory electronic filing will discourage people from running when it will be hard to find a volunteer treasurer to serve” and the minutes be approved. Motion carried.

### III. PROPOSED ADVISORY OPINION

A. Yard Signs 32 Square Feet or Less Exempt from Attribution/Opinion 01-17 Rescinded – It was moved by McKinley and seconded by Sullivan the opinion increasing the attribution statement exemption for yard signs from 16 square feet to 32 square feet be approved. Motion carried.

B. Application of Campaign Laws to Judges Standing for Retention – It was moved by McKinley and seconded by Sullivan that the subject of the opinion be changed to “Applicability of Campaign Laws to Judges Standing for Retention”, that application in the first paragraph be changed to applicability and the opinion be approved. Motion carried. A copy of the opinion will be sent to the different officers of the court and groups, including the Iowa State Bar Association.

C. Certain Express Advocacy Materials without Attribution/Opinion 2000-34 Modified – It was moved by Peters and seconded by McKinley to approve the opinion that modifies Opinion 2000-34 to require an attribution statement by an individual that spends over \$100 to expressly advocate for or against a ballot issue. Motion carried.

### IV. POLICY DECISIONS FOR THE BOARD TO MAKE

A. Revocable Trust and Corporate Sales – It was moved by McKinley and seconded by Sullivan that the contribution from the LTHS Living Trust be treated the same as a contribution from an individual and that the rule be changed to reflect this. Motion carried.

B. Communicating by Email – It was moved by Sullivan and seconded by McKinley that Counsel be directed to do further research concerning the implication of email, open meetings laws and open public records laws. Motion carried.

### V. REQUEST FOR ADJUSTING ENTRY

A. Iowa Progress Committee – It was moved by Sullivan and seconded by McKinley that the committee be required to escheat \$374.06 in unidentifiable funds to the State of Iowa. Motion carried.

## VI. BOARD RULES

A. Proposed Rules for Adoption – It was moved by Sullivan and seconded by Peters that the following four proposed rules be adopted. Motion carried.

1. Permissible use of campaign funds, including bonuses to campaign workers, payments to family members when work or services are provided and gifts up to \$250 per person to campaign workers

2. Transfer of assets between candidate committees and requirements for filing an independent expenditure statement

3. A permanent organization making a loan or being owed a debt by a candidate or committee is not required to register as a PAC and a candidate or candidate's committee may owe a debt to an insurance company or corporation if the debt is repaid and the transaction disclosed

4. An executive branch lobbyist client must file a report even if no compensation is paid to the client's lobbyist

### B. Proposed Rules for Notice of Intended Action

1. The proposed rule allowing Board members and staff, except the Director, to attend and participate in a presidential caucus was continued to the next meeting.

2. It was moved by Sullivan and seconded by McKinley that the proposed rules clarifying that the sharing of information between candidates' committees is not a prohibited in-kind contribution, clarifying that a candidate may not donate campaign funds to a charitable organization when the candidate or a family member of the candidate is employed by the organization and would receive a direct financial benefit from the donation, and removing the requirement that a charitable organization must be a 501(c)(3) organization be approved for Notice of Intended Action. Motion carried.

3. It was moved by Peters and seconded by Sullivan that the proposed rules clarifying the types of committees required to file a statement of organization be approved for Notice of Intended Action. Motion carried.

4. It was moved by McKinley and seconded by Peters to file as Notice of Intended Action a proposed rule to change the Iowa Code reference in 351 IAC 4.8(3) from 68A.401(2) to 68A.401(3). Motion carried.

C. Rules for Consideration if HF-2319 Signed into Law – It was moved by Sullivan and seconded by Peters that the following be approved for Notice of Intended Action when HF-2319 is signed by the Governor. Motion carried.

1. The proposed rule stating that a permanent organization that makes contributions in excess of \$750 to a candidate's committee must disclose the original source of those funds.

2. The proposed rule to reflect new statutory requirements concerning the attribution statement.

3. The proposed rule to reflect the new reporting due dates.

D. Proposed Rules if SF 2179 Signed into Law – It was reported that SF 2179 has been signed by the Governor. It was moved by Peters and seconded by Sullivan that the following be approved for Notice of Intended Action. Motion carried.

1. The proposed rule to define the Board as a regulatory agency and that it becomes a public record when consent is granted to a member of the Board or staff to sell goods or services to someone regulated by the Board.

2. The proposed rule to add the phrase "anticipated to be paid" to the lobbyist client report rule and to change the client report due date from July 1 to July 31.

VII. VIOLATIONS

A. Attribution Statement Violations (Iowa Code section 68A.405) – It was moved by Sullivan and seconded by Peters that the following correction advertisement information be received and that the files be closed with no further action. Motion carried unanimously.

Citizens for Responsible Government Spending (Story)  
Citizens for Bill Lynn (Scott)  
Yes for Kids (Linn)  
Rutledge for Auditor (Guthrie)

Board member Janet Carl was connected by phone at 10:57 a.m.

VIII. ADJOURNMENT TO EXECUTIVE SESSION – At 11:00 a.m. it was moved by Peters and seconded by McKinley that in accordance with the provisions of Iowa Code section 21.5, subsection 1, paragraphs (c), (f) and (h), the Board go into executive session. Albert, McKinley, Peters, Carl and Sullivan voted yes in roll call vote. Motion passed unanimously.

The meeting returned to Open Session at 12:04 p.m.

The meeting recessed at 12:05 and reconvened at 12:20 p.m.

Since Bernie McKinley's term is up, the Chair presented him with a plaque on behalf of the Board members for his outstanding service to the citizens of Iowa.

IX. ACTION FROM EXECUTIVE SESSION – It was moved by Peters and seconded by Sullivan that the written record of executive session action be made a part of the open record. Motion carried unanimously.

The following executive session action was taken.

Randy Waterman – Information was provided to the Board that this individual transported campaign signs in a police vehicle. It was moved by McKinley and seconded by Sullivan that a Letter of Admonishment be issued to exercise care in the future based on the fact there was minimal expenditure of public funds for a political purpose and the political purpose was incidental to the public purpose. Motion carried.

Friends of the Rec Plex (Story) – Debts were not reported prior to the election. It was moved by Sullivan and seconded by Peters that a Letter of Admonishment be sent along with an explanation of the proper reporting of debts and obligations. Motion carried.

Alden School District Brochure – An investigation to determine whether public funds were used for a brochure that also contained an inaccurate attribution statement was made. It was determined that the school was reimbursed for use of the copier to print the brochure. It was moved by McKinley and seconded by Peters that the investigation be closed with a finding of no probable cause to believe that a violation occurred concerning misuse of school resources and that a correction ad be directed. Motion carried.

City of Wilton Mailing – It was moved by Sullivan and seconded by McKinley that a letter sent with the utility bill be investigated to determine if there was an improper use of public funds for a political purpose. Motion carried unanimously.

North Polk Community School District Brochure – It was moved by Carl and seconded by McKinley that the Board decline to investigate the brochure, as it does not contain express advocacy. Motion carried.

It was moved by Sullivan and seconded by Peters that a future big picture item be express advocacy federal legislation, the McConnell case and potential legislation next session. Motion carried.

Concerned Citizens Committee – It was moved by McKinley and seconded by Peters that Counsel be directed to investigate whether the \$750 threshold for reporting was exceeded and resolve the attribution statement violation. Motion carried.

Gary Kendell – It was moved by Sullivan and seconded by McKinley to decline to investigate and refer to the Attorney General's office the Chapter 722 issues and investigate to determine if proper campaign disclosure was achieved. Motion carried.

Cherokee Community School District Newsletter – It was moved by McKinley and seconded by Peters that the Board decline to investigate the newsletter, as it does not contain express advocacy. McKinley, Peters, Carl and Albert voted yes. Sullivan voted no. Motion carried.

Mailing by Linden Self Storage – It was moved by McKinley and seconded by Peters that the Board decline to investigate the mailing as it does not contain express advocacy. McKinley, Peters, Carl and Albert voted yes. Sullivan voted no. Motion carried.

Indian Hills Community College – It was moved by McKinley and seconded by Peters that Counsel be directed to investigate the use of governmental property to financially benefit any outside employment or activity. Motion carried.

David Zahn – It was moved by Peters and seconded by Sullivan to decline to investigate the use of public equipment and property in an advertisement after getting a letter confirming the candidate's conversation with our office. Motion carried.

Judicial Brochure – It was moved by Peters and seconded by McKinley that Counsel be directed to investigate whether the \$750 threshold for reporting was crossed and if the brochure contained a proper attribution statement. Motion carried.

Webster County Riverboat Brochure – It was moved by McKinley and seconded by Peters to decline to investigate the brochure since it does not contain express advocacy. McKinley, Peters, Carl and Albert voted yes. Sullivan voted no. Motion carried.

Sully City Election – It was moved by Carl and seconded by Peters that Counsel be directed to investigate whether public funds were used and the attribution statement violation. Motion carried.

Anne Pedersen – It was alleged that a Senator Gene Fraise calendar hanging in the County Auditor's office was the misuse of public resources for a political purpose, that the Fort Madison City Hall was used for announce the candidate's reelection, and that a tape of a closed meeting was released. It was moved by McKinley and seconded by Peters that the Board decline to investigate the calendar since it does not contain express advocacy; that even though the city does not have a written policy allowing anyone to use space at city hall, Pedersen's opponent was notified that she could use it, and since release of the tape does not violate any campaign disclosure laws, the complainant should be referred to the State Ombudsman's office. Motion carried.

The brochure on use of public funds will be reviewed at the next meeting

Dallas County Issues – It was moved by Sullivan and seconded by McKinley that Counsel be directed to investigate whether city resources were used for a fundraiser and whether materials were impermissibly displayed at city hall. Motion carried unanimously.

Paul Dorr/Tama & Gilbert Schools – It was moved by McKinley and seconded by Sullivan to investigate whether there has been proper registration and reporting in the two bond elections. Motion carried.

Anne Pedersen/Rick Larkin – It was moved by McKinley and seconded by Peters that the Board decline to investigate material submitted alleging the misuse of public funds for a political purpose since the material was a news article as opposed to a political advertisement. Motion carried.

Tom Neenan – A correction advertisement for an attribution statement violation has not been received. It was moved by Peters and seconded by McKinley that a statement of charges be filed and the matter set for hearing. Motion carried. Sullivan was appointed presiding officer.

AHST School District – It was moved by Sullivan and seconded by McKinley to refer the complaint allegations to the appropriate governing bodies since there are no allegations under the Board's jurisdiction, and to notify the complainant. Motion carried.

Non-Profit Racing Associations/Citizens for Preservation of Racing – It was moved by Peters and seconded by Sullivan that Counsel be directed to provide a legal memorandum on the application of ethics laws to non-profit racing associations and to investigate the PAC's fundraising methods. Motion carried.

Carroll County Recorder's Office – It is alleged that the Carroll County Recorder's office is being used as a campaign headquarters. It was moved by Sullivan and seconded by Carl that this allegation be investigated. Motion carried.

#### X. ADMINISTRATIVE ACTION

A. Lyle Wiggins, Committee to Elect Lyle Wiggins (Scott) – This candidate filed his statement of organization late and failed to open a separate bank account. It was moved by McKinley and seconded by Peters that a Letter of Reprimand be issued for the candidate's failure to open a separate bank account. Motion carried.

Information will be reported at the next meeting on how many committees file on time and what percentage pay without requesting a waiver.

B. John Hedgecoth and Andrew Hill – Both candidates failed to file a January 19, 2003 report and failed to appear for their contested case proceedings. Default Decisions were entered against both. They also failed to file a January 19, 2004 report. It was moved by Peters and seconded by Sullivan that each candidate receive a Letter of Reprimand for failing to file the January 19, 2004 report, that both be administratively closed, that the automatic civil penalty be assessed each and that all civil penalties be placed in the offset program for collection. Motion carried unanimously.

C. Lanny Pugh, Keep Improving District Schools (Louisa) – The committee has failed to file several reports. At the April 2003 meeting the Board voted to waive \$920 in penalties owed if the committee dissolved and forfeited the \$13.27 remaining funds to the state General Fund. The committee has failed to obey the Board's directive and has now failed to file two additional reports. It was moved by Peters and seconded by McKinley that the committee be administratively dissolved, that the Board impose all automatically assessed civil penalties, that all civil penalties be placed in the offset program for collection and that the committee receive a Letter of Reprimand for failing to file the last two reports. Motion carried unanimously.

D. Lee Kohl – It was moved by Sullivan and seconded by McKinley that a Letter of Reprimand be issued for failing to file lobbyist reports, that the automatic civil penalties be assessed, that the civil penalties be placed in the offset program for collection and that he be admonished that if he lobbies the executive branch in the future the Board will expect full compliance with the law. Motion carried unanimously.

E. Dr. Mona Al-Qulali – It was moved by Sullivan and seconded by Peters that the \$20 civil penalty assessed for a delinquent OTC form be waived and that an admonishment to exercise care in the future be issued. Motion carried unanimously.

F. Rekow for Representative – It was moved by Sullivan and seconded by McKinley that the candidate be reprimanded to exercise care in the future concerning the reporting and reimbursement of mileage expenses. Motion carried unanimously.

G. Dianna Pilla (Scott) – This candidate failed to file two disclosure reports. It was moved by Peters and seconded by Sullivan that a Letter of Reprimand be issued for failing to file reports, that civil

penalties owed be placed in the offset program, that the committee be administratively dissolved and the candidate be admonished that if she runs in the future the Board will expect full compliance with the campaign laws. Motion carried unanimously.

It was suggested that the civil penalty be included in summaries. It was also suggested the past due reminders include the amounts of possible civil penalties and that civil penalties be changed to fines.

H. Jon Hein (Scott) – This candidate has failed to file two disclosure reports. It was moved by Peters and seconded by McKinley that a Letter of Reprimand be issued for failing to file reports, that civil penalties owed be placed in the offset program, that the committee be administratively dissolved and that the candidate be admonished that if he runs in the future the Board will expect full compliance with the campaign laws. Motion carried unanimously.

Carl left at 1:00 p.m.

I. Joel Harris (Black Hawk) – This candidate has failed to file two disclosure reports. It was moved by Sullivan and seconded by Peters that a Letter of Reprimand be issued for failing to file reports, that civil penalties owed be placed in the offset program, that the committee be administratively dissolved and that the candidate be admonished that if he runs in the future the Board will expect full compliance with the campaign laws. Motion carried unanimously.

J. Bill Dean Re-Election Committee (Chickasaw) – It was moved by Sullivan and seconded by Peters that a Letter of Reprimand be issued for violations, that an unpaid \$50 civil penalty be placed in the offset program, that the remaining debt of \$1,192.21 be placed in the offset program, that the committee be administratively terminated and that the candidate be admonished that if he runs for office again the Board will expect full compliance with the campaign laws. Motion carried unanimously.

K. Roxanne Coffelt (Warren) – This candidate has failed to file disclosure reports. It was moved by Sullivan and seconded by McKinley that a Letter of Reprimand be issued for failing to file reports, that civil penalties owed be placed in the offset program, that the committee be administratively terminated and that the candidate be admonished that if she runs in the future the Board will expect full compliance with the campaign laws. Motion carried unanimously.

L. Christopher Jorgensen (Benton) – This agenda item was continued to the next meeting.

It was moved by McKinley and seconded by Peters that a Letter of Reprimand be issued for failing to file a report, that unpaid civil penalties be placed in the offset program, that the committee be administratively terminated and that the candidates be admonished that if they run in the future the Board will expect full compliance with the campaign laws for the following two agenda items. Motion carried.

M. David Thompson (Benton)

N. Lynn Leaders (Pottawattamie)

O. Diane Sawyers (Madison) – This agenda item was continued to the next meeting.

P. Vander Plaats for Governor – This agenda item was resolved prior to the meeting.

It was moved by McKinley and seconded by Peters that the following contested case proceedings be set and hearings held. Motion carried.

Q. Max Knauer (Polk) – Albert will be presiding officer

R. Democratic Women of Buchanan County – Sullivan will be presiding officer

S. Vote Yes! Clive Aquatic Center – Albert will be presiding officer

#### XI. REQUESTS FOR WAIVERS OF CIVIL PENALTIES

A. Campaign Committees (Rule 351 IAC 10.3)

Statewide Committees

1. Jack Young for House Committee – It was moved by McKinley and seconded by Sullivan that the civil penalties assessed for two late filed reports be reduced from \$600 to \$100. Motion carried.

2. Independent Insurance Agents of Iowa PAC – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

3. UFCW Local 230 ABC – It was moved by Sullivan that the civil penalty assessed for a late filed report be waived. This motion was withdrawn. It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late-filed report be reduced from \$100 to \$50. Motion carried.

4. Friends for Zamora – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be upheld. Motion carried.

It was moved by Sullivan and seconded by Peters that the motion to uphold the civil penalty be reconsidered and that the \$200 civil penalty be reduced to \$100. Motion carried.

5. Committee to Elect John White – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be waived and a Letter of Reprimand issued. Motion carried.

6. Hardin County Republican Women – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be waived. Motion carried.

7. Tommy Jacobson Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

8. Re-election of Wally Horn Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be reduced from \$200 to \$100. Motion carried.

9. SITI PAC – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be reduced from \$200 to \$100. Motion carried.

10. Rapp for Lt. Governor Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

#### County/Local Committees

1. Chickasaw County Republican Central Committee – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be upheld. Motion carried.

2. Emmet County Republican Central Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be upheld and a Letter of Admonishment issued for failure to file an amended Statement of Organization. Motion carried.

3. Pottawattamie County Democratic Central Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be upheld. Motion carried.

4. Local Opportunity Committee (Appanoose) - It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be upheld. This motion was withdrawn.

It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late-filed report be waived and a Letter of Admonishment issued. Motion carried.

5. Ringgold County Republican Central Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be reduced from \$50 to \$20. Motion carried.

6. Tjossem for Council (Winneshiek) – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

7. FBG Service Corporation – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.
8. Story County Republican Central Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be waived. Motion carried.
9. Wieland for Council (Black Hawk) – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be reduced from \$20 to \$10. Motion carried.
10. Cole for Council (Black Hawk) – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be reduced from \$50 to \$20. Motion carried.
11. Clinton County Vision Iowa Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be reduced from \$100 to \$50. Motion carried.
12. Ken Reece for Mayor (Hardin) – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be waived and the committee be informed where to file. Motion carried.
13. Vision South O'Brien (O'Brien) – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be waived and a Letter of Reprimand issued. Motion carried.
14. Hapgood for Mayor (Linn) – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be reduced from \$200 to \$100 and respond to the inaccurate information in the treasurer's letter. Motion carried.
15. Osceola County Democratic Central Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be waived. Motion carried.
16. Rhea Huddleston for Supervisor (Wapello) – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be waived. Motion carried.
17. Allamakee County Republican Central Committee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.
18. Committee to Elect Ako (Polk) – It was moved by Peters and seconded by Sullivan that that civil penalty assessed for a late filed report be waived. Motion carried.
19. Kids Deserve It! (Lee) – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for two late filed reports be reduced from \$300 to \$100 and it be explained what they did wrong. Motion carried.
20. Citizens for Alternatives to a New Jail (Johnson) – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be upheld. Motion carried.
21. Crawford County Democratic Central Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be upheld. Motion carried.
22. Splash 2000 (Cerro Gordo) – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late filed report be reduced from \$200 to \$100 and that they be told how to dissolve. Motion carried.
23. Don Thomas for Streets (Linn) – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be waived. Motion carried.
24. Committee to Re-elect Irvin Pfab (Johnson) – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be waived. Motion carried.

25. Committee to Elect Dean Stock (Sac) – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

26. Committee to Elect Frank Hamilton (Clarke) – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be upheld. Motion carried.

27. Committee to Elect Paulson (Story) – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late filed report be upheld. Motion carried.

28. Citizens for Max Weaver (Cerro Gordo) – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be reduced from \$50 to \$20. Motion carried.

29. Sackville for Mayor Committee (Franklin) – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late filed report be reduced from \$100 to \$50. Motion carried.

30. Linn County Republican Central Committee – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be waived and a Letter of Admonishment to exercise care in the future sent. Motion carried.

31. Delaware County Democratic Central Committee – It was moved by Peters that the civil penalty assessed for a late filed report be upheld. Motion died for lack of a second.

It was moved by McKinley and seconded by Sullivan that the civil penalty be waived. Motion carried.

32. Appanoose County Democratic Central Committee – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late filed report be upheld. Motion carried.

33. Committee to Elect Tom Hanafan (Pottawattamie) – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be reduced from \$100 to \$50. Motion carried.

34. Citizens for Cammie Pohl (Scott) – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

35. Padgett for Council Committee (Woodbury) – It was moved by McKinley and seconded by Peters that the civil penalty assessed for a late filed report be reduced from \$100 to \$50. Motion carried.

36. Sac County Gaming Committee (Sac) – It was moved by Peters and seconded by McKinley that the civil penalty assessed for two late filed reports be reduced from \$70 to \$40. Motion carried.

37. Citizens in Support of Downtown (Johnson) – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried.

38. Ann E. Michalski for Mayor (Dubuque) – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for three late filed report be reduced from \$500 to \$150. Motion carried.

39. Dennis Clemens for Polk County Supervisor (Polk) – It was moved by McKinley and seconded by Peters that the civil penalty assessed for three late filed reports be reduced from \$400 to \$150, (\$50 for the October, 2002 report, \$100 for the January, 2003 report, and waive the penalty for the late filed January, 2004 report). Motion carried.

40. Friends of Jeff Friest for Supervisor (Hardin) – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived. Motion carried. Motion carried.

#### Out of State PACs

1. Fareway Stores, Inc. PAC – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for 74 late filed VSR reports be reduced from \$1850 to \$150. Motion carried.

2. International Union of Painters & Allied Trades PAC – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for four VSR reports be waived. Motion carried.

3. Laborers' 309 PAC – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late filed report be waived. Motion carried.

4. Laborers' 309 PAC – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be upheld. Motion carried.

5. General Mills PAC – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be waived. Motion carried.

6. Monsanto Citizenship Fund – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be waived and that a letter of caution to the PAC and party be sent. Motion carried.

7. Great South Bay PAC – It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late filed report be waived and a Letter of Admonishment sent. Motion carried.

B. Lobbyists/Clients (Rule 351 IAC 8.12)

1. Brenda Kole – It was moved by Peters and seconded by McKinley that the civil penalty assessed for a late filed report be upheld. Motion carried.

2. Sharon K. Roberson – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late-filed report be waived and a Letter of Reprimand issued. This motion was withdrawn.

It was moved by Sullivan and seconded by McKinley that the civil penalty assessed for a late-filed report be waived and a Letter of Admonishment issued. Motion carried.

3. Paul McLaughlin – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived and a Letter of Admonishment issued. Motion carried.

4. L. Martin Lee – It was moved by Peters and seconded by Sullivan that the civil penalty assessed for a late filed report be waived and a Letter of Admonishment issued. Motion carried.

5. Maureen Carney – It was moved by McKinley and seconded by Sullivan that the civil penalty assessed for a late filed report be upheld. Motion carried.

C. PFD (Rule IAC 7.6)

1. Patrick J. Palmersheim – It was moved by Sullivan and seconded by Peters that the civil penalty assessed for a late-filed report be reduced from \$100 to \$50. Motion carried.

ELECTRONIC FILING UPDATE – The written report explaining progress of the business object report project, enhancement of the public search page and school board candidates using the system was received for information.

XIII. ITEMS OF BOARD INTEREST NOT NEEDING ACTION

A. Legislative Update – The written report explaining 2004 legislation was received for information.

At 2:35 p.m. it was moved by McKinley and seconded by Sullivan that the meeting be adjourned. Motion carried unanimously.

Respectfully submitted,



Sandra Reier  
Secretary